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CONSOL ENERGY™

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OCT 03 2007

DIV. OF OIL, GAS & MINING

Consolidation Coal Company

 P.O. Box 566
 Sesser, IL 62884
 (618) 625-2041

October 04, 2007

 Pamela Grubaugh-Littig
 Utah Division of Oil, Gas and Mining
 Coal Program
 1594 West North Temple, Suite 1210
 Box 145801
 Salt Lake City, Utah 84114-5801

Incoming *OK*
10/15/0015
#2821

Re: Emery Deep Mine Permit C/015/015
 Amendment to MRP (additional info PHC update and full extraction pillar splitting plan, planned subsidence Zero North, 4th E, 15th W, and 6th W, updated pre- subsidence survey Zero North panel.)

Dear Mrs. Grubaugh-Littig:

Please consider this additional information pertaining to August 3, 2007 PHC update and full extraction amendment to the Mine Reclamation Plan for the Emery Mine. Enclosed please find three (3) copies of the submittal containing your staff's requested changes as redline strikeouts. Also attached please find executed C1 and C-2 forms. A copy has been forwarded to your Price field office. A cd will be forwarded within a few days.

Per the ongoing expansion of the Emery Mine, Consol plans to increase the resource recovery by utilizing a pillar splitting plan that would fall into the planned subsidence category. Consol has obtained previous approval to conduct planned subsidence pillar splitting in several areas, with a condition that the PHC be updated. The PHC update, and full extraction request for the 4th E, 15th W, 6th W was submitted on August 3, 2007. This full extraction request adds the Zero North. The Zero North is Consol owned surface and coal. The Zero North is the area that Consol moved to while awaiting approval on the federal lease IBC. Prior to moving back into the federal lease area Consol wishes to split pillars on retreat. Consol will obtain MSHA approval prior to commencing pillar splitting.

Your staff has requested that the original approved drainage maps be updated and converted to a larger scale. This project has been ongoing for several months and is near completion. Due to the need for field verification of all existing drainage structures, and the larger scale this map has evolved into 3 separate maps with greater detail. These maps will be submitted by October 17, 2007.

The archeology for the 4th E, 15th W, 6th W and SHPO concurrence for these areas has been completed under the previously approved submittals. The archeology for the Zero North is included in this submittal and is requested to be placed in the CONFIDENTIAL file.

Subsidence mitigation agreements with Emery County and PacifiCorp pertaining to the County road and power line are included and requested to be placed in the CONFIDENTIAL file.

File in: *C/0150015, 2007, Incoming*
 Refer to:
☒ Confidential
☐ Shelf
☒ Expandable
 Date *10/04/07* For additional information

To date Consol has updated the previously approved pre subsidence survey for the 14th and 15th West panel areas, and are approved as Chapter V Appendix V-4. The updated pre-subsidence survey for the Zero North is included in this submittal as Chapter V, Appendix V-5. Copies of this survey have been forwarded to the respective landowners and water conservation district, and can be viewed at the mine site. Consol has an ongoing program to update the planned subsidence areas prior to mining and submit them as appendices to Chapter V. Based on our future timing and ever changing mine plan, Consol will submit updated pre-subsidence surveys as needed prior to full extraction.

If you have any questions concerning this request, please call me at (618) 625-6850.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Gefferth".

John Gefferth
Environmental Engineer

CC: Karl Houskeeper – DOGM-Price Field Office-with attachments
Attachments

JAG/jag fullextracPHC.ZN.addinfo.doc

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☒ New Permit ☐ Renewal ☐ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: Consolidation Coal Company

Mine: Emery Mine

Permit Number: 015/015

Title: PHC update, planned subsidence for 15th W, 4th E, 6th W

Description, Include reason for application and timing required to implement:

add info PHC update, 4th E, 15th W, 6th W, planned subsidence for Zero North

10/07

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- ☐ Yes ☒ No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ ☐ increase ☐ decrease.
- ☐ Yes ☒ No 2. Is the application submitted as a result of a Division Order? DO# _____
- ☐ Yes ☒ No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- ☐ Yes ☒ No 4. Does the application include operations in hydrologic basins other than as currently approved?
- ☐ Yes ☒ No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- ☐ Yes ☒ No 6. Does the application require or include public notice publication?
- ☐ Yes ☒ No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- ☐ Yes ☒ No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- ☐ Yes ☒ No 9. Is the application submitted as a result of a Violation? NOV # _____
- ☐ Yes ☒ No 10. Is the application submitted as a result of other laws or regulations or policies?
Explain: _____
- ☐ Yes ☒ No 11. Does the application affect the surface landowner or change the post mining land use?
- ☐ Yes ☒ No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- ☐ Yes ☒ No 13. Does the application require or include collection and reporting of any baseline information?
- ☐ Yes ☒ No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- ☐ Yes ☒ No 15. Does the application require or include soil removal, storage or placement?
- ☐ Yes ☒ No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- ☐ Yes ☒ No 17. Does the application require or include construction, modification, or removal of surface facilities?
- ☐ Yes ☒ No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- ☒ Yes ☐ No 19. Does the application require or include certified designs, maps or calculation?
- ☐ Yes ☒ No 20. Does the application require or include subsidence control or monitoring?
- ☐ Yes ☒ No 21. Have reclamation costs for bonding been provided?
- ☐ Yes ☒ No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- ☐ Yes ☒ No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Jonathan M. Pachter

Print Name

Jonathan M. Pachter 9/28/07
Sign Name, Position, Date Gen. Mgr., Environ. Services

Subscribed and sworn to before me this 28th day of September, 2007

Janice L. Davis
Notary Public

My commission Expires:

Attest: State of

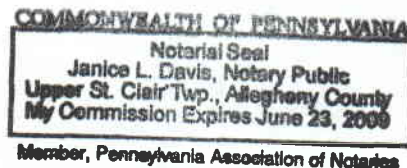
County of

June 23, 2009

Pennsylvania

Allegheny

} ss:



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Number:

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DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: Consolidation Coal Company

Mine: Emery Mine

Permit Number: 015/015

Title: add info PHC, update planned subsidence 4th E, 15th W, 6th W, Zero North

10/07

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED

[illegible]

Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

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